

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE CHRISTOPHER SMITH,

Petitioner,

v.

KEN CLARK,

Respondent.

Case No. 1:21-cv-01554-JLT-EPG-HC

ORDER DENYING PETITIONER'S  
MOTION TO STAY AS MOOT AND  
GRANTING PETITIONER EXTENSION OF  
TIME TO FILE OBJECTIONS TO THE  
FINDINGS AND RECOMMENDATION

(ECF No. 56)

Petitioner Lawrence Christopher Smith is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On November 27, 2023, the undersigned issued findings and recommendation recommending denial of the petition. (ECF No. 55.) On December 18, 2023, Petitioner filed the instant motion to stay the proceedings while his petition for writ of mandamus is pending before the Supreme Court. (ECF No. 56.) On January 8, 2024, the Supreme Court denied the petition. In re Lawrence Smith, No. 23-5850, 2024 WL 72412 (U.S. Jan. 8, 2024).<sup>1</sup>

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<sup>1</sup> The Court “may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue.” U.S. ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc., 971 F.2d 244, 248 (9th Cir. 1992) (internal quotation marks and citation omitted)). See also Reyn’s Pasta Bella, LLC v. Visa USA, Inc., 442 F.3d 741, 746 n.6 (9th Cir. 2006) (“We may take judicial notice of court filings and other matters of public record.”).

Accordingly, the Court HEREBY ORDERS that:

1. Petitioner's motion to stay (ECF No. 56) is DENIED as moot; and
2. Within **THIRTY (30) days** from the date of service of this order Petitioner may file objections to the findings and recommendation.

IT IS SO ORDERED.

Dated: **January 29, 2024**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE